

## §47.5

## 14 CFR Ch. I (1-1-02 Edition)

(B) it is not registered under the laws of any foreign country; or

(2) it is an aircraft of the Federal Government, or of a State, territory, or possession of the United States or the District of Columbia or a political subdivision thereof.

(b) No person may operate on aircraft that is eligible for registration under section 501 of the Federal Aviation Act of 1958 unless the aircraft—

- (1) Has been registered by its owner;
- (2) Is carrying aboard the temporary authorization required by §47.31(b); or
- (3) Is an aircraft of the Armed Forces.

(c) Governmental units are those named in paragraph (a) of this section and Puerto Rico.

[Doc. No. 7190, 31 FR 4495, Mar. 17, 1966, as amended by Amdt. 47-20, 44 FR 61939, Oct. 29, 1979]

### §47.5 Applicants.

(a) A person who wishes to register an aircraft in the United States must submit an Application for Aircraft Registration under this part.

(b) An aircraft may be registered only by and in the legal name of its owner.

(c) Section 501(f) of the Act (49 U.S.C. 1401(f)), provides that registration is not evidence of ownership of aircraft in any proceeding in which ownership by a particular person is in issue. The FAA does not issue any certificate of ownership or endorse any information with respect to ownership on a Certificate of Aircraft Registration. The FAA issues a Certificate of Aircraft Registration to the person who appears to be the owner on the basis of the evidence of ownership submitted pursuant to §47.11 with the Application for Aircraft Registration, or recorded at the FAA Aircraft Registry.

(d) In this part, "owner" includes a buyer in possession, a bailee, or a lessee of an aircraft under a contract of conditional sale, and the assignee of that person.

[Amdt. 47-20, 44 FR 61939, Oct. 29, 1979]

### §47.7 United States citizens and resident aliens.

(a) *U.S. citizens.* An applicant for aircraft registration under this part who is a U.S. citizen must certify to this in the application.

(b) *Resident aliens.* An applicant for aircraft registration under section 501(b)(1)(A)(i) of the Act who is a resident alien must furnish a representation of permanent residence and the applicant's alien registration number issued by the Immigration and Naturalization Service.

(c) *Trustees.* An applicant for aircraft registration under section 501(b)(1)(A)(i) of the Act that holds legal title to an aircraft in trust must comply with the following requirements:

(1) Each trustee must be either a U.S. citizen or a resident alien.

(2) The applicant must submit with the application—

(i) A copy of each document legally affecting a relationship under the trust;

(ii) If each beneficiary under the trust, including each person whose security interest in the aircraft is incorporated in the trust, is either a U.S. citizen or a resident alien, an affidavit by the applicant to that effect; and

(iii) If any beneficiary under the trust, including any person whose security interest in the aircraft is incorporated in the trust, is not a U.S. citizen or resident alien, an affidavit from each trustee stating that the trustee is not aware of any reason, situation, or relationship (involving beneficiaries or other persons who are not U.S. citizens or resident aliens) as a result of which those persons together would have more than 25 percent of the aggregate power to influence or limit the exercise of the trustee's authority.

(3) If persons who are neither U.S. citizens nor resident aliens have the power to direct or remove a trustee, either directly or indirectly through the control of another person, the trust instrument must provide that those persons together may not have more than 25 percent of the aggregate power to direct or remove a trustee. Nothing in this paragraph prevents those persons from having more than 25 percent of the beneficial interest in the trust.

(d) *Partnerships.* A partnership may apply for a Certificate of Aircraft Registration under section 501(b)(1)(A)(i) of the Act only if each partner, whether a general or limited partner, is a citizen of the United States. Nothing in this